

## Message Text

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ACTION EUR-12

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C O N F I D E N T I A L USNATO 01979

E.O. 11652: GDS  
TAGS: NATO, PARM, UK, FR  
SUBJECT: HUMANITARIAN LAW IN INTERNATIONAL CONFLICT:  
PROTOCOLS TO THE GENEVA CONVENTIONS

REFS: (A) USNATO 1739, (B) USNATO 1738

1. AT FEBRUARY 23 MEETING, POLADS DISCUSSED UK AND FRG SUGGESTIONS FOR POLADS AND MILITARY COMMITTEE WORKING GROUPS ON PROTOCOLS, BUT MADE NO PROGRESS ON PROCEDURAL ISSUES. ITALIAN REP OFFERED PROCEDURAL SUGGESTIONS, BUT UK AND FRG REPS HAD NO REACTIONS FROM THEIR AUTHORITIES TO FEBRUARY 16 DISCUSSION AND WERE LESS CLEAR ABOUT THEIR PROPOSALS THAN AT THE FEBRUARY 16 MEETING.

2. US REP NOTED THAT POLADS COULD SERVE AS CLEARING HOUSE FOR EXCHANGE OF VIEWS. NORWEGIAN AND SEVERAL OTHER REPS BELIEVED EXCHANGES IN POLADS COULD BE USEFUL IN PREPARING FOR FURTHER EXPERTS MEETINGS BUT WOULD NOT IN THEMSELVES BE ADEQUATE. SEVERAL SAW NEED FOR EXPERTS DISCUSSIONS LASTING SEVERAL DAYS.  
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IMS REP NOTED NEED TO CLARIFY PRECISE POINTS FOR STUDY BEFORE RETURNING MATTER TO THE MILITARY COMMITTEE.

3. FRG AND UK REPS TOLD US PRIVATELY THEY WILL SEEK CLARIFICATION OF THEIR PROPOSALS FROM BONN AND LONDON, AND WILL TRY TO PRESENT MORE SPECIFIC PROCEDURAL SUGGESTIONS. FRG REP SAID HIS DELEGATION MIGHT

PROPOSE AN AD HOC WORKING GROUP STRUCTURED ALONG THE LINES OF THE MBFR WORKING GROUP TO CARRY FORWARD STUDY, I.E. A COMMITTEE CHAIRED BY THE INTERNATIONAL MILITARY STAFF IN WHICH DELEGATIONS COULD BE REPRESENTED AS THEY CHOOSE BY MILITARY AND/OR CIVILIAN PERSONNEL.

4. COMMENT: WE DO NOT REQUIRE INSTRUCTIONS AT THIS TIME, UNLESS THERE ARE SPECIFIC POINTS WASHINGTON WANTS US TO MAKE. POLADS WILL LIKELY RETURN TO THIS SUBJECT FEBRUARY 28, BUT UK AND FRG MAY NEED MORE TIME TO CLARIFY THEIR THINKING. WE ANTICIPATE OTHERS WILL CONTINUE TO BE INTERESTED IN HOLDING ANOTHER EXPERTS MEETING AT A LATER STAGE. FRG SUGGESTION OF AN AD HOC WORKING GROUP SIMILAR TO THE MBFR WG MIGHT RELIEVE PRESSURE FOR BRINGING EXPERTS FROM CAPITALS SINCE FLEXIBLE STAFFING WOULD ENABLE EVEN SMALLER DELEGATIONS TO MAKE PERSONNEL AVAILABLE WHO COULD DEVELOP EXPERTISE THROUGH REGULAR MEETINGS ON PROTOCOL FOLLOW-UP ISSUES. POSSIBLY, BOTH UK AND FRG STUDIES COULD BE CONDUCTED IN SUCH GROUP -- IF ALL ALLIES AGREE TO UTILITY OF SUCH STUDIES. GLITMAN

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